

111TH CONGRESS
1ST SESSION

H. R. 2728

To provide financial support for the operation of the law library of the
Library of Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2009

Ms. ZOE LOFGREN of California (for herself and Mr. DANIEL E. LUNGREN
of California) introduced the following bill; which was referred to the
Committee on House Administration

A BILL

To provide financial support for the operation of the law
library of the Library of Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “William Orton Law
5 Library Improvement and Modernization Act”.

6 **SEC. 2. FINANCIAL SUPPORT FOR LAW LIBRARY OF LI-**
7 **BRARY OF CONGRESS.**

8 (a) FINANCIAL SUPPORT.—In addition to any other
9 amounts made available for the salaries and expenses of
10 the Library of Congress, there are authorized to be appro-

1 priated to the Librarian of Congress \$3,500,000 for main-
2 taining and administering the operations of the law library
3 of the Library of Congress, including the cataloguing of
4 the collections of the law library. Any amounts appro-
5 priated pursuant to the authority of this subsection shall
6 remain available without fiscal year limitation until ex-
7 pended.

8 (b) ELECTRONIC CATALOGING OF NONPROPRIETARY
9 MATERIAL.—To the extent practicable, in using any funds
10 appropriated pursuant to the authority of subsection (a)
11 to catalog and archive nonproprietary material in the col-
12 lections of the Law Library after the date of the enact-
13 ment of this Act, the Law Librarian of Congress shall
14 catalog and archive the material electronically in a non-
15 proprietary and nondiscriminatory format. Nothing in the
16 previous sentence may be construed to affect any cata-
17 logging and archiving activities carried out with funds
18 which are not appropriated pursuant to the authority of
19 subsection (a).

20 **SEC. 3. SEPARATION OF LAW LIBRARY SALARIES AND EX-**
21 **PENSES IN PREPARATION OF ANNUAL LI-**
22 **BRARY OF CONGRESS BUDGET.**

23 (a) SEPARATE BUDGET TREATMENT OF LAW LI-
24 BRARY.—In preparing the annual budget for the Library
25 of Congress which will be submitted by the President

1 under chapter 11 of title 31, United States Code, and in
 2 preparing the annual budget and related materials for the
 3 Library of Congress for the use of the Committees on Ap-
 4 propriations of the Senate and House of Representatives,
 5 the Librarian of Congress shall ensure that all amounts
 6 attributable to salaries and expenses of the law library of
 7 the Library of Congress are set forth separately as a sepa-
 8 rate line item from other salaries and expenses of the Li-
 9 brary of Congress.

10 (b) EFFECTIVE DATE.—This section shall apply with
 11 respect to fiscal year 2011 and each succeeding fiscal year.

12 **SEC. 4. WILLIAM ORTON PROGRAM TO SUPPORT THE MIS-**
 13 **SION OF THE LAW LIBRARY OF THE LIBRARY**
 14 **OF CONGRESS.**

15 (a) ESTABLISHMENT.—

16 (1) IN GENERAL.—The Librarian of Congress,
 17 acting through the Law Librarian of Congress, shall
 18 establish and operate a program to be known as the
 19 “William Orton Law Library Support Program”
 20 (hereafter in this section referred to as the “Pro-
 21 gram”), which will—

22 (A) provide enhanced or special services
 23 and programs for the Law Library; and

24 (B) otherwise support the mission of the
 25 Law Library.

1 (2) RELATION TO OTHER PROGRAMS.—The Li-
2 brarian shall operate the Program in a manner
3 which ensures that the resources of the Program are
4 not commingled with the resources used to carry out
5 the program operated under section 2.

6 (b) ROLE OF OTHER ENTITIES.—The Librarian may
7 carry out the Program through agreements and partner-
8 ships entered into with other government and private enti-
9 ties, including the American Association of Law Libraries
10 and the American Bar Association.

11 (c) PRIVATE SUPPORT.—

12 (1) ACCEPTANCE OF DONATIONS.—Donations
13 of funds and in-kind contributions in support of the
14 Program may be accepted—

15 (A) by the Library of Congress Trust
16 Fund Board, as provided under the Act entitled
17 “An Act to create a Library of Congress Trust
18 Fund Board, and for other purposes”, approved
19 March 3, 1925 (2 U.S.C. 154 et seq.); and

20 (B) by the Librarian of Congress, as pro-
21 vided under section 4 of such Act (2 U.S.C.
22 160).

23 (2) USE OF AMOUNTS.—Notwithstanding the
24 second paragraph of section 2 of the Act entitled
25 “An Act to create a Library of Congress Trust Fund

1 Board, and for other purposes”, approved March 3,
2 1925 (2 U.S.C. 157), or the third sentence of sec-
3 tion 4 of such Act (2 U.S.C. 160), any amounts ac-
4 cepted by the Library of Congress Trust Fund
5 Board or the Librarian of Congress in support of
6 the Program shall be subject to disbursement by the
7 Librarian only upon the recommendation of the Law
8 Librarian (except to the extent otherwise provided
9 under any terms and conditions on the use of the
10 amounts which are imposed by the person making
11 the donation).

12 (3) ACCEPTANCE OF OTHER VOLUNTARY SERV-
13 ICES.—Notwithstanding section 1342 of title 31,
14 United States Code, the Librarian of Congress may
15 accept voluntary and uncompensated services in sup-
16 port of the Program.

17 (d) ESTABLISHMENT OF SEPARATE ACCOUNT.—

18 (1) IN GENERAL.—There is established in the
19 Treasury (among the accounts of the Library of
20 Congress) a separate account for the Program,
21 which shall consist of—

22 (A) amounts accepted by the Library of
23 Congress Trust Fund Board in support of the
24 Program as described in subsection (c)(1)(A),

1 together with any income earned on such
2 amounts;

3 (B) amounts accepted by the Librarian of
4 Congress in support of the Program as de-
5 scribed in subsection (c)(1)(B), together with
6 any income earned on such amounts;

7 (C) amounts appropriated pursuant to the
8 authorization under subsection (f); and

9 (D) interest on the balance of the account.

10 (2) USE OF AMOUNTS.—The funds contained in
11 the account established under this subsection shall
12 be used solely by the Law Librarian of Congress to
13 carry out the Program.

14 (e) ANNUAL REPORT.—Not later than April 30 of
15 each year (beginning with 2010), the Librarian of Con-
16 gress shall submit a report on Program funding and ac-
17 tivities to the Committee on House Administration of the
18 House of Representatives, the Committee on Rules and
19 Administration of the Senate, the American Bar Associa-
20 tion, and the American Association of Law Libraries. The
21 report shall include—

22 (1) a listing of all donations received in support
23 of the Program during the previous year;

24 (2) the total obligations during the previous
25 year for each Program activity;

1 (3) the amount appropriated pursuant to the
2 authorization under subsection (f) for the fiscal year
3 beginning on the previous October 1;

4 (4) a list of Program activities, with budget in-
5 formation for each such activity, planned for the cal-
6 endar year in which the report is submitted; and

7 (5) any findings in the most recently completed
8 audit conducted with respect to the Law Library or
9 Program funds or investments.

10 (f) AUTHORIZATION OF APPROPRIATIONS.—In addi-
11 tion to any other amounts authorized to be appropriated
12 to the Librarian of Congress for the Law Library of Con-
13 gress for a fiscal year, there are authorized to be appro-
14 priated for deposit into the account established under sub-
15 section (d) an amount equal to 40 percent of the amount
16 of the donations accepted by the Library of Congress
17 Trust Fund Board in support of the Program under sub-
18 section (c)(1) during the previous fiscal year.

19 **SEC. 5. SENSE OF CONGRESS REGARDING ROLE AND STA-**
20 **TUS OF LAW LIBRARY OF LIBRARY OF CON-**
21 **GRESS.**

22 It is the sense of Congress that the Librarian of Con-
23 gress should make decisions regarding the financing and
24 operation of the law library of the Library of Congress,
25 the maintenance of its collections, and the access of the

1 public to its collections in a manner that preserves the
2 role and status of the law library as the Nation's law li-
3 brary.

